

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: OFFICE OF CONSUMER ADVOCATE, Complainant, vs. SPRINT COMMUNICATIONS COMPANY, L.P., Respondent.	DOCKET NO. FCU-04-3
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ORDER MODIFYING PROCEDURAL SCHEDULE AND HEARING DATE

(Issued March 19, 2004)

On March 12, 2004, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed a request for modification of the procedural schedule in this case. The Consumer Advocate stated the parties had discussed the modification and jointly proposed a new procedural schedule. The modification is reasonable and should be approved.

IT IS THEREFORE ORDERED:

1. On or before April 14, 2004, the parties must file a document stipulating to as many of the facts in this case as possible. The stipulation must also identify which facts remain in dispute and need to be resolved. The parties must also state whether they believe a hearing is necessary in this case, or whether the case could be submitted on the stipulated facts, prefiled testimony and evidence, and the

prehearing briefs. If Mr. Evans wishes to become a party to this case, he must file written notice with the Board no later than April 14, 2004, and must join in the stipulation of the parties.

2. If the parties are unable to stipulate to all the facts of this case, prefiled testimony and exhibits must be filed only with respect to the facts that remain in dispute and need to be resolved in this proceeding.

3. If needed pursuant to paragraph two, on or before April 28, 2004, the Consumer Advocate and any intervenors must file prepared direct testimony and exhibits and a prehearing brief. The prepared direct testimony may refer to any document already in the record, and parties do not need to refile exhibits already submitted in the informal complaint process and made a part of the record. In prepared testimony and exhibits, the Consumer Advocate must address the issues discussed in the procedural order and notice of hearing issued February 25, 2004, support each of the allegations made in its petition, and file any other evidence not previously filed. The Consumer Advocate should use exhibit numbers one and following. In its prehearing brief, the Consumer Advocate must state what actions it believes would be necessary to bring this matter to a proper resolution, and why such actions would be appropriate and in accordance with applicable law.

4. If needed pursuant to paragraph two, on or before May 12, 2004, Sprint must file prepared testimony and exhibits and a prehearing brief. Sprint may refer to any document in the record, and does not need to refile exhibits already submitted in the informal complaint process and made a part of the record. In its prepared testimony and exhibits, Sprint must address the issues discussed in the procedural

order and notice of hearing issued February 25, 2004, support each of the allegations made in its response, and file any other evidence not previously filed. Sprint should use exhibit numbers 100 and following. In its prehearing brief, Sprint must state what actions it believes would be necessary to bring this matter to a proper resolution, and why such actions would be appropriate and in accordance with applicable law.

5. If the Consumer Advocate or any intervenor is going to file prepared rebuttal testimony and exhibits, it must do so by May 26, 2004.

6. A hearing for the presentation of evidence and the cross-examination of witnesses will be held in the Board Hearing Room, 350 Maple Street, Des Moines, Iowa, on Tuesday, June 15, 2004, commencing at 10 a.m. Each party must provide a copy of its prepared testimony and exhibits to the court reporter. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at 1-515-281-5256 no later than Thursday, June 10, 2004, to request that appropriate arrangements be made.

7. All provisions of the procedural order and notice of hearing issued in this docket on February 25, 2004, that are not specifically modified in this order remain in effect.

UTILITIES BOARD

/s/ Amy L. Christensen
Amy L. Christensen
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 19th day of March, 2004.

